

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 5833  
Ohio Democratic Party and Dean )  
DePiero, in his official capacity as )  
treasurer; Friends of Sherrod Brown and )  
Eileen Gallagher, in her official )  
capacity as treasurer )

CERTIFICATION

I, Darlene Harris, recording secretary for the Federal Election Commission  
executive session on April 15, 2009, do hereby certify that the Commission decided  
by a vote of 5-0 to take the following actions in MUR 5833:

1. Find reason to believe that the Ohio Democratic Party and Dean DePiero, in his official capacity as treasurer, violated 2 U.S.C. §§ 441d, 434(b)(4)(H)(iii), (6)(B)(iii), and (g)(2) and 11 CFR § 104.4(a) and (b)(2).
2. Find no reason to believe that the Ohio Democratic Party and Dean DePiero, in his official capacity as treasurer, violated 2 U.S.C. § 441a(a)(2)(A) and (f).
3. Find no reason to believe that Friends of Sherrod Brown and Eileen Gallagher, in her official capacity as treasurer, violated 2 U.S.C. § 441a(f), and close the file with respect to them.
4. Approve the Factual and Legal Analysis for Friends of Sherrod Brown and Eileen Gallagher, in her official capacity as treasurer, as recommended in the First General Counsel's Report dated March 16, 2009.
5. Instruct the Office of General Counsel to revise the Factual and Legal Analysis for the Ohio Democratic Party and Dean DePiero, in his official capacity as treasurer, pursuant to the meeting discussion.
- 6.

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7. Approve the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Walther voted affirmatively for the decision. Commissioner Weintraub recused herself with respect to MUR 5833 and did not vote.

Attest:

April 16, 2009  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of the Commission

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